



~~June 18, 2002 CPC~~
~~July 16, 2002 CPC~~
~~September 17, 2002 CPC~~
~~November 19, 2002 CPC~~
~~January 21, 2003 CPC~~
~~March 18, 2003 CPC~~
~~May 20, 2003 CPC~~
~~August 18, 2003 CPC~~
~~November 18, 2003 CPC~~
~~December 16, 2003 CPC~~
~~February 17, 2004 CPC~~
~~April 20, 2004 CPC~~
May 26, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

02SN0238
(AMENDED)

Douglas R. Sowers

Matoaca Magisterial District
Watkins and Swift Creek Elementary,
Midlothian Middle and Midlothian High School Attendance Zones
East line of Otterdale Road

REQUEST: Various amendments to Conditional Use Planned Development (Case 88S008). (See the following for details of the requested amendments.)

PROPOSED LAND USE:

This property is part of the original Greenspring mixed use development which contained approximately 1,313 acres. The applicant wishes to proceed with developing the subject property, consisting of approximately 208 acres, independent of other portions of the original Greenspring project and amend specific requirements of the original Greenspring rezoning.

SYNOPSIS OF PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL OF AMENDMENTS I THROUGH VI WITH THE IMPOSITION OF CONDITIONS 1 THROUGH 5 AND THE ACCEPTANCE OF PROFFERED CONDITIONS 1 THROUGH 7 ON PAGES 2 THROUGH 9.

AYES: Messrs. Litton, Bass, Gulley and Wilson.
NAY: Mr. Gecker.

SYNOPSIS OF STAFF'S RECOMMENDATION

RECOMMEND APPROVAL OF AMENDMENTS I THROUGH IV AND VI WITH IMPOSITION OF CONDITIONS 1 THROUGH 5 AND ACCEPTANCE OF PROFFERED CONDITIONS 1 THROUGH 5 AND 7. RECOMMEND DENIAL OF AMENDMENT V. RECOMMEND THAT PROFFERED CONDITION 6 NOT BE ACCEPTED.

AMENDMENT I (Applicant's Amendments 1, 2, 3 and 4)

Amendment to Condition 1 of Case 88S008 to modify the approved Textual Statement to reflect the requested amendments outlined herein and substitute a new Conceptual Master Plan for the approved Conceptual Master Plan. The requirement to conform to the Conceptual Site Development Plan (see attached) would be deleted. This amendment would allow the request property to be developed as a separate project from that portion of the remaining acreage originally-zoned and not included in this request.

With respect to land uses, the amended Master Plan deletes a golf course. The requirement to restore the "Tomahawk" and the "Ellett Hancock" structures would be deleted.

RECOMMENDATION (AMENDMENT I)

Recommend approval of Amendment I for the following reasons:

- A. Conditions of zoning approval for Case 88S008 plus the conditions stated herein insure land use compatibility and transition between uses developed on the request property and between uses developed on the request property and existing and anticipated area development.
- B. The Tomahawk structure has been destroyed by fire. The Preservation Committee determined that the Ellett Hancock structure cannot be feasibly restored due to extensive deterioration.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.

CONDITIONS

- (STAFF/CPC) 1. The Textual Statement, titled Greenspring: Conditional Use and Zoning Application, revised April 1, 1988, including the "Residential

Site Development Criteria" table, Exhibit IV and the conditions of zoning for Case 88S008 and the Conceptual Master Plan, dated February 6, 2004, shall be the Master Plan for the subject property, except as stated herein. And further, provided that the subject property shall be permitted to be considered as a separate project from the remaining portion of that land area covered under Case 88S008. (P)

- (STAFF/CPC) 2. All references and requirements relating to golf in the Textual Statement and conditions of zoning for Case 88S008 shall be deleted. (P)
- (STAFF/CPC) 3. The requirement to restore the Tomahawk and Ellett Hancock structures shall be deleted. (P)
- (STAFF/CPC) 4. All references and requirements relating to the plan entitled "Conceptual Site Development Plan - Greenspring - Chesterfield County, Virginia" in the Textual Statement and conditions of zoning for Case 88S008 shall be deleted. (P)

Note: Conditions 1 through 4 supersede Condition 1 of Case 88S008 for the request property only.)

AMENDMENT II (Applicant's Request 9)

Amendment to Condition 14 of Case 88S008 to clarify the manner in which the on-site water line distribution system will be looped with future area water line extensions. This amendment is discussed in the Utilities section of this "Request Analysis".

RECOMMENDATION (AMENDMENT II)

Recommend approval of Amendment II for the following reason:

The requested modification will clarify the manner in which the on-site water line is looped with future area water line extensions.

PROFFERED CONDITIONS

- (STAFF/CPC) 3. Water. In lieu of a water line connection to the Queensmill West development, the developer shall extend a sixteen (16) inch water line adjacent to the proposed extension of Woolridge Road from the southern boundary to the northern boundary of the request site. In addition, the developer shall extend an appropriately sized water line along the East/West Arterial (as herein defined) from Otterdale Road to the eastern portion of Tract E. (U)

(STAFF/CPC)

4. Water and Wastewater Plan. The required overall Water and Wastewater Systems Overall Plan for this development shall be submitted to the Utilities Department for review and approval at least thirty (30) days prior to the initial submission of any tentative, site, or schematic plan. This shall be accompanied by a Phasing Plan which will establish a schedule for extensions of the required water and wastewater lines incrementally with each phase of development. (U)

(Staff Note: Proffered Conditions 3 and 4 supersede Condition 14 of Case 88S008 for the request property only.)

AMENDMENT III (Applicant's Request 7)

Deletion of Conditions 7, 9, 11 and 20 of Case 88S008 relative to the design of a lake (Condition 7); submission of an overall erosion and sediment control plan (Condition 9); submission of soil studies prior to construction (Condition 11); and measures designed to protect the water quality of Swift Creek Reservoir (Condition 20). These amendments are discussed in the Environmental section of this "Request Analysis."

RECOMMENDATION (AMENDMENT III)

Recommend approval of Amendment III for the following reasons:

- A. Regulations relative to the design of lakes are part of the County's recently adopted Upper Swift Creek Stormwater Management Plan. Therefore, deletion of Condition 7 of Case 88S008 is acceptable.
- B. Erosion and sediment control plans must be submitted in accordance with County requirements. Therefore, deletion of Condition 9 of Case 88S008 is acceptable.
- C. Current County regulations require submission of soils analysis prior to construction on the request property. Therefore, deletion of Condition 11 of Case 88S008 is acceptable.
- D. Since approval of the original zoning, regulations regarding the protection of the water quality of Swift Creek Reservoir have been adopted. Current State and County regulations and proffered conditions address water quality issues and insure protection of the Swift Creek Reservoir. Therefore, deletion of Condition 20 of Case 88S008 is acceptable.

CONDITION

(STAFF/CPC)

5. The requirements of Conditions 7, 9, 11 and 20 of Case 88S008 shall be deleted for the request property only. (EE)

PROFFERED CONDITIONS

- STAFF/CPC 1. Timbering. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
- (STAFF/CPC) 2. Stormwater. The developer shall leave in place the temporary sediment control devices and/or, at the election of the developer, construct new BMPs or combinations of BMPs, which would achieve, (i) a maximum phosphorous limit of .22 for residential development, and (ii) a maximum phosphorus limit of .45 for commercial development, until (i) Chesterfield County has constructed the downstream regional BMP into which a portion of the development will drain pursuant to Upper Swift Creek Watershed Plan or (ii) to the extent a portion of the Property does not drain into a regional BMP, then as to that portion of the Property, upon completion of the initial regional BMP. (EE)

AMENDMENT IV (Applicant's Request 8)

Deletion of Condition 30 requiring the dedication of sixty-five (65) acres and the reservation for purchase of thirty-five (35) acres for public use. This amendment is discussed in the Fiscal Impact Section of this "Request Analysis."

RECOMMENDATION (AMENDMENT IV)

Recommend approval of Amendment IV for the following reason:

The applicant has addressed the impact of this development on capital facilities, as discussed herein.

PROFFERED CONDITION

- (STAFF/CPC) 5. Cash Proffer
- a) Prior to the time of issuance of a building permit for each of the first twenty five (25) dwelling units, the applicant, subdivider, or its assignee, shall pay to the County of Chesterfield the following amount for infrastructure improvements for schools within the service district for the Property:

the amount approved by the Board of Supervisors, but not to exceed \$4,166 per dwelling unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2003 and July 1 of the fiscal year in which the payment is made.

- b) If any of the cash proffer is not expended for the purposes designated by the Capital Improvement Program within fifteen (15) years from the date of payment, it shall be returned in full to the payor. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County. (B&M)

(Staff Note: This condition supersedes Condition 30 of Case 88S008 for the request property only.)

AMENDMENT V (Applicant's Requests 5 and 6)

Amendment to sections of the approved Textual Statement for Case 88S008 relative to access and road improvements are requested. Specifically, the following amendments are requested to modify requirements to: (1) dedicate right of way for Genito Road, Otterdale Road, Powhite Parkway and Old Hundred Road; (2) construct Powhite Parkway Extended from Brandermill Parkway to Otterdale Road (3) construct four (4) lanes of Woolridge Road Extended and the Collector Loop Road, if necessary; (4) provide ditch and shoulder improvements along Genito and Otterdale Roads; (5) construct left and right turn lanes along Otterdale Road, Genito Road and Powhite Parkway Extended, if required; (6) provide for full cost of signalization of access onto Otterdale Road, Genito Road and Powhite Parkway Extended, if warranted; and (7) provide a traffic analysis. These amendments are discussed in the Transportation section of this "Request Analysis."

RECOMMENDATION (AMENDMENT V)

Recommend denial of Amendment V. Recommend that Proffered Condition 6 not be accepted. This recommendation is made for the following reason:

Proffered conditions may not address the traffic impact of this request on area roads consistent with the commitments made for transportation improvements in the original Greenspring zoning case.

PROFFERED CONDITION

(CPC)

6. Road Improvements and Phasing.

- a. Right-of Way Dedication. In conjunction with recordation of the initial subdivision plat, prior to any site plan approval, or within sixty (60) days from a written request by the county, whichever occurs first, the applicant or his assignee shall dedicate to the county, free and unrestricted, the following rights of way:
 - i. A 200 foot wide right of way for Powhite Parkway Extended across the northwestern part of the Property;
 - ii. A 120 foot wide right of way for a north/south major arterial ("Woolridge Road Extended") from the southern Property line to the northern Property line. The exact location of this right of way shall be approved by Chesterfield Department of Transportation (CDOT);
 - iii. A ninety (90) foot wide right of way for an east/west major arterial (the "East/West Arterial") from Otterdale Road to the eastern Property line. The exact location of this right of way shall be approved by CDOT;
 - iv. A forty five (45) foot wide right of way for Otterdale Road adjacent to the Property, measured from the centerline of Otterdale Road; and
 - v. Rights of way or easements for access (the "Site Road"), as approved by CDOT, from Woolridge Road Extended across the Property to the Lennon parcel (Tax ID 7196945885) on both the east and west sides of Woodridge Road Extended. The Site Road right of way width shall generally be sixty (60) feet; however, the exact width and location of these rights of way or easements shall be approved by CDOT.
- b. Construction. In order to provide an adequate roadway system, the applicant or his assignee shall be responsible for the following road improvements:
 - i. Construction of a four (4) lane divided facility for Woolridge Road Extended, to VDOT Urban Minor Arterial standards (50 MPH) with modifications approved by CDOT, from the northern Property line to the East/West Arterial intersection;
 - ii. Construction of two (2) lanes of the East/West Arterial, to VDOT Urban Minor Arterial standards (50 MPH) with

modifications approved by CDOT, from Otterdale Road to Woolridge Road Extended;

- iii. Realignment of Otterdale Road at the East/West Arterial intersection to create a T-intersection, if approved by CDOT;
 - iv. Construction of left and right turn lanes at each approved access along the Site Road, along Woolridge Road Extended, along the East/West Arterial and along Otterdale Road, including at the East/West Arterial/Otterdale Road intersection, and at the East/West Arterial/Woolridge Road Extended intersection, as determined by CDOT;
 - v. Full cost of traffic signalization at all approved accesses including at the East/West Arterial/Woolridge Road Extended and at the Site Road/Woolridge Road Extended intersections, if warranted as determined by CDOT;
 - vi. Widening/improving the east side of Otterdale Road to an eleven (11) foot wide travel lane, measured from the centerline of the road, with an additional one (1) foot wide paved shoulder plus a seven (7) foot wide unpaved shoulder, with modifications approved by CDOT, from the northernmost approved access onto Otterdale Road to the southern Property line; and
 - vii. Any rights of way necessary for improvements specified in Proffered Condition 6.b. In the event the developer is unable to acquire the right of way necessary for these road improvements, the applicant or his assignee may request, in writing, the county to acquire such right of way as a public road improvement. All costs associated with the acquisition of such right of way shall be borne by the applicant or his assignee.
- c. Phasing. Prior to any site plan or subdivision construction plan approval, whichever occurs first, a phasing plan for the improvements specified in Proffered Condition 6.b. shall be submitted to and approved by CDOT. The approved phasing plan shall require, among other things, the following:
- i. The initial development on the Property of 175 residential units and 20,000 square feet of nonresidential uses shall have sole access to Woolridge Road Extended; and

- ii. Prior to recordation or site plan approval on the Property of a cumulative total of more than 175 residential units or site plan approval of more than 20,000 square feet of nonresidential uses, whichever occurs first, four (4) lanes of Woolridge Road Extended as required by Proffered Condition 6.b.i.; and two (2) lanes of Powhite Parkway Extended from the Watermill Parkway intersection to Woolridge Road Extended and two (2) lanes of Woolridge Road Extended from Powhite Parkway Extended to the northern Property line, shall be completed, as determined by CDOT.
- d. Access. Prior to any site plan or tentative subdivision plan approval, whichever occurs first, the applicant or his assignee shall submit to CDOT, and receive its approval of, a plan for access to the Property from the Site Road, Woolridge Road Extended, the East/West Arterial and Otterdale Road. Access to the Property shall conform to the approved access plan.

AMENDMENT VI

The applicant has offered an additional proffered condition that addresses the phasing of the residential portion of the project.

RECOMMENDATION (AMENDMENT VI)

Recommend that Proffered Condition 7 be accepted.

PROFFERED CONDITION

- (STAFF/CPC) 7. Phasing. There shall be no lots recorded prior to July 1, 2005 on the Property. There shall be no site plan approved for any residential multifamily units prior to July 1, 2005. (P)

(Staff Note: This condition supersedes Textual Statement Items 14, 15, 16, 20, 21 and 22 of Case 88S008 for the request property only.)

GENERAL INFORMATION

Location:

East line of Otterdale Road, south of Gamecock Road. Tax ID 716-691-4229 and 718-691-6889 (Sheet 9).

Existing Zoning:

O-2 and R-9 with Conditional Use Planned Development

Size:

208.5 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North – A; Vacant

East – O-2 and R-9 with Conditional Use Planned Development; Community Recreation

South – R-9, O-2 with Conditional Use Planned Development, R-15 and A; Vacant

West – A; Vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the north side of Genito Road, approximately 5,300 feet south of the request site. Extension of an appropriately sized water line along the right of way of the future North Woolridge Road will be necessary to serve the request site. The use of the public water system is required by a previous condition of zoning. (Case 88S008, Condition 13)

To address future development, the applicant has proffered to extend a sixteen (16) inch water line along the proposed route of North Woolridge Road from the southern boundary to the northern boundary of the site. In addition, the developer will extend an approximately-sized water line along the proposed east/west collector road from Otterdale Road to the eastern portion of Tract E. (Proffered Condition 3)

The applicant has proffered to submit for review and approval a Water and Wastewater Systems Overall Plan for this development. That plan will be accompanied by a phasing plan which establishes a schedule for incremental water system extensions with each phase of the development. (Proffered Condition 4)

Public Wastewater System:

There is an existing sixty (60) inch wastewater trunk line extending along the north side of Genito Road, approximately 5,300 feet south of the request site. This existing sixty (60) inch wastewater trunk line is a portion of the Upper Swift Creek Transport System. A portion of this wastewater trunk was originally required by a previous condition of zoning, as well as the dedication of easements to the County for this construction (Case 88S008, Conditions 15 and 16). Subsequent to the approval of Case 88S008, the County completed construction of

the Upper Swift Creek Transport System; thus satisfying the requirements of Conditions 15 and 16.

The use of the public wastewater system is required by a previous condition of zoning (Case 88S008, Condition 13). The request site drains toward Tomahawk Creek. Extension of an appropriately sized wastewater trunk line along Tomahawk Creek, from the existing sixty (60) inch wastewater trunk line to the northern boundary of this site, will be necessary to provide public wastewater service. Extension of the Tomahawk Creek wastewater trunk lines is required by a previous condition of zoning. (Case 88S008, Condition 15)

The applicant has proffered to submit for review and approval a Water and Wastewater Systems Overall Plan for this development. That plan will be accompanied by a phasing plan which establishes a schedule for incremental water system extensions with each phase of the development. (Proffered Condition 4)

ENVIRONMENTAL

Drainage and Erosion:

Currently, there are no existing on-site erosion or drainage problems with none anticipated after development. Although Tomahawk Creek currently exhibits signs of natural stream degradation, the degradation should be stabilized or improved with the environmental measures that will be implemented with this project and the proposed enhancements to the floodplains. The property is heavily wooded and, as such, should not be timbered until the issuance of a land disturbance permit. This will insure that adequate erosion control measures are in place prior to any land disturbance. (Proffered Condition 1)

Water Quality:

The property drains into the reservoir via Tomahawk Creek, which borders the eastern property line. Since Tomahawk Creek is a perennial stream, the property will be subject to a 100 foot conservation area along the creek. Also along the eastern property line are proposed, enhanced floodplain-structures that are part of the regional watershed plan. The tributary that drains through the center of the property and forms a portion of the northern property line is a Riparian Corridor Management-NRPA, which prohibits disturbance of the natural vegetation within the 100-year floodplain except as permitted by Ordinance.

To address concerns recently expressed by the Planning Commission and area citizens relative to stormwater runoff phosphorus loads in the Upper Swift Creek Watershed, staff has suggested that the applicant has agreed to maintain sediment basins or construct new BMPs, or a combination thereof, until such downstream regional BMPs have been constructed. (Proffered Condition 2)

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that emergency services calls are expected to increase forty-five (45) percent by 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the Public Facilities Plan. Based on 2,584 dwelling units, this request could generate approximately 666 calls for fire and EMS service each year. The proposed zoning amendment will not result in any additional dwelling units over the number of units permitted on this portion of the request under Case 88S008. Consequently, there is no net increase in the impact on capital facilities resulting from this request.

This property is currently served by the Swift Creek Fire/Rescue Station, Company Number 16. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

Schools:

Approximately 1,370 students will be generated by this development.

The property is currently in the Watkins Elementary School attendance zone. The area on the south side of Powhite Parkway is proposed to go to Swift Creek Elementary and the area on the north side of Powhite Parkway is proposed to go to Evergreen Elementary. This site is also in the Midlothian Middle and Midlothian High School attendance zone.

Watkins Elementary School: capacity - 752, enrollment - 855; Swift Creek Elementary School: capacity - 759, enrollment - 748; Evergreen Elementary School: capacity - 878, enrollment - 802; Midlothian Middle School: capacity - 1,331, enrollment - 1,399; and Midlothian High School: capacity - 1,568, enrollment - 1,600.

There are currently eight (8) trailers at Watkins Elementary; three (3) trailers at Swift Creek Elementary; four (4) trailers at Evergreen Elementary; five (5) trailers at Midlothian Middle and five (5) trailers at Midlothian High.

The students generated by this development would create significant enrollment increases at the elementary, middle and high school levels. The elementary schools will continue to experience significant enrollment increases even if the redistricting proposal is approved by the school board. The applicant has agreed to participate in the cost of providing for area school needs. (Proffered Condition 5)

Libraries:

Consistent with the Board of Supervisors' Policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County. Taking into account the additional space provided by the new La Prade and Chester Libraries, there is still a projected need for additional library space throughout the County.

This development would likely affect the existing Midlothian Library or a possible new branch in the Genito Road/Powwhite Parkway area as proposed by the Public Facilities Plan. The proposed zoning amendment will not result in any additional dwelling units over the number of units permitted on this portion of the request under Case 88S008. Consequently, there is no net increase in the impact on capital facilities resulting from this request.

Parks and Recreation:

The Public Facilities Plan identifies the need for four (4) new regional parks. There is currently a shortage of community park acreage in the County. The Plan identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The Plan also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations. The proposed zoning amendment will not result in any additional dwelling units over the number of units permitted on this portion of the request under Case 88S008. Consequently, there is no net increase in the impact on capital facilities resulting from this request.

Transportation:

The applicant is requesting relief from many of the transportation conditions in the Textual Statement from the Original Greenspring zoning. The applicant has submitted proffers that restate some of those same conditions, which apply to development of the subject property. The applicant has also committed to limit the amount of development that occurs on the property until sections of the Powwhite Parkway and Woolridge Road Extended are constructed. One of the original Greenspring zoning conditions requires a traffic impact analysis to be submitted, if requested by the Transportation Department. The applicant is seeking relief of this condition and is unwilling to proffer a similar condition. Therefore, staff does not support this request.

Background

In 1988, the Board of Supervisors approved a Conditional Use Planned Development (Case 88S008 "Original Greenspring Project") on approximately 1,300 acres for a mixed-use development that included retail, office and residential land uses. With that approval, the Board accepted the Textual Statement that includes several transportation conditions addressing maximum density, right of way dedications, access control and construction of mitigating road improvements. Conditions of zoning approval for Case 88S008 restricted the

maximum density of the Original Greenspring Project to 2,303 residential units, 193,000 square feet of retail, 1,250,000 square feet of office and a 300 room inn/conference center or equivalent densities based on traffic generation. Original Greenspring Project was anticipated to generate approximately 43,360 average daily trips.

The major road improvements required by the Original Greenspring Project include: 1) construction of four (4) lanes of Powhite Parkway Extended across the Original Greenspring Project; 2) construction of two (2) additional lanes of Powhite Parkway Extended from the Original Greenspring Project to Brandermill Parkway; 3) construction of four (4) lanes of Woolridge Road Extended and Collector Loop Road, if necessary; and 4) construction of two (2) lanes of Powhite Parkway Extended and two (2) lanes of Woolridge Road Extended across an adjacent parcel (identified as Parcel 8 on the Original Master Plan and currently identified as the Lennon parcel). A condition of the Original Greenspring Project zoning requires that a phasing plan for these required road improvements be approved by the Transportation Department.

Another condition of the Original Greenspring Project zoning requires that initial access for the development will be provided via Powhite Parkway Extended/Old Hundred Road. The "initial access" condition was provided as part of the original Greenspring zoning to insure that the major traffic impact generated by the development would be directed towards Powhite Parkway Extended and not towards the Genito Road area.

In 1995, the Board of Supervisors approved amendments to the Original Greenspring Conditional Use Planned Development to allow development of approximately 810 acres ("Phase I Greenspring") independently of the Original Greenspring Project. The 1995 amendment did not relieve the Phase I Greenspring developers of required road improvements, except for right of way dedications across properties they did not control.

As required by a condition of the Original Greenspring Project, the Phase I developer submitted a phasing plan for the entire Greenspring Project. After evaluating the proposal, staff agreed to a Phase I consisting of the following road improvements: 1) two (2) lanes of the required four (4) lanes for Woolridge Road Extended, with adequate turn lanes, from Genito Road north to its intersection with the Collector Loop Road; and 2) two (2) lanes for Collector Loop Road, with adequate turn lanes from Woolridge Road Extended to Powhite Parkway Extended/Old Hundred Road.

In March 2002, the Board of Supervisors again approved amendments to the Original Greenspring Conditional Use Planned Development to allow an additional 282 acres ("Phase II Greenspring") to be developed independently of the Original Greenspring Project and of Phase I Greenspring. The 2002 amendment did relieve the Phase II Greenspring developer of most all transportation conditions outlined in the Original Greenspring zoning. A proffered condition of that zoning approval (Proffered Condition 3) requires that property to be developed based on one (1) of two (2) road access alternatives (Alternative A and Alternative B). Alternative A includes a requirement for the Phase II Greenspring developer to dedicate a ninety (90) foot wide right of way and construct two (2) lanes of Woolridge Road Extended

from that property to Old Hundred Road. Alternative B includes a requirement for the Phase II Greenspring developer to provide \$800,000 toward the construction of Powhite Parkway Extended and a section of Woolridge Road Extended. In order to construct this improvement partial public funding is required. Unless the Transportation Department notifies the applicant within a specific time frame that the County wants the development to occur under Alternative B conditions, the Phase II Greenspring developer is permitted to develop the property in accordance with Alternative A conditions.

In April 2002, the Board appropriated funds towards construction of Alternative B improvements. Staff has completed part of the preliminary engineering on Alternative B improvements, and has determined that the estimated cost is now significantly higher than the preliminary budget, which includes the Phase II developer's \$800,000 contribution. Therefore, the County has not notified the developer to develop under Alternative B.

Two (2) proposals have been submitted to the Virginia Department of Transportation (VDOT), under the Public-Private Transportation Act (PPTA), for the extension of the Powhite Parkway from its current terminus at Old Hundred Road to Hull Street Road near Beaver Bridge Road. Both proposals would complete this section of the Powhite Extension as a Toll Road. The proposals are currently being reviewed by VDOT. Detailed information has not been provided, and accordingly the Board of Supervisors has not been requested to take a position on these proposals.

Current Request

The subject property (Phase III Greenspring), identified on the Master Plan as Tract B consisting of approximately 163 acres and Tract E consisting of approximately forty-five (45) acres, was included in the Original Greenspring Project, but not in Phase I or Phase II Greenspring. Current zoning would allow up to 15,000 square feet per acre of commercial/office on Tract B, and up to three (3) residential units per acre on Tract E. Tract B could also be developed for residential use up to fifteen (15) units per acre. The Original Greenspring Textual Statement, which applies to all the properties in the Original Greenspring, including the subject property, has a maximum density condition (Textual Statement Condition 19 of Case 88S008). Development of Phases I, II and Phase III Greenspring cannot exceed that maximum density. Based on anticipated development densities of Phases I and II, Phase III Greenspring could generate approximately 20,000 average daily trips.

Vehicles generated by the development will be distributed along Otterdale Road, Genito Road, Old Hundred Road and Woolridge Road, which had 2003 traffic counts of 1,090; 13,603; 7,067; and 9,806 vehicles per day, respectively.

Sections of Otterdale Road have nineteen (19) to twenty (20) foot wide pavement with no shoulders. Sections of Genito Road have twenty (20) to twenty-one (21) foot wide pavement with no shoulders. Sections of Old Hundred Road have twenty-one (21) to twenty-two (22) foot wide pavement with no shoulders. These roads have fixed objects adjacent to the edge

of the pavement, and substandard vertical and horizontal alignments. The capacity of these roads is acceptable for the volume of traffic they currently carry.

Sections of Woolridge Road between Timber Bluff Parkway and Genito Road have twenty (20) to twenty-one (21) foot wide pavement with no shoulders, and guardrail immediately adjacent to the road. The section of Woolridge Road across the Swift Creek Reservoir is not in the State Highway System, and is the responsibility of the County. Based on current traffic volume this section of Woolridge Road is at capacity, and as traffic volumes increase this section of road should be improved to a four (4) lane divided roadway.

As noted, roads in this area have narrow pavement widths, little or no shoulders and poor vertical and horizontal alignments. The traffic generated by this development will significantly increase the need for transportation improvements in this area. No road improvement projects in this area of the County are included in the Secondary Road Six-Year Improvement Plan.

The Thoroughfare Plan identifies the extension of Woolridge Road, as a major arterial with a recommended right of way width of ninety (90) feet, from Genito Road to Route 288. Otterdale Road currently serves as the major north/south road for this part of the County. Due to its current condition, reconstructing Otterdale Road to handle increased traffic will be very costly. Once the proposed Woolridge Road Extended from Genito Road to Route 288 and the proposed East/West Arterial from Otterdale Road to Woolridge Road Extended are constructed, they could better handle north/south travel. In order to avoid major reconstruction of sections of Otterdale Road and eliminate bridging Otterdale Road for Powhite Parkway Extended, Staff recommends that cul-de-sacs be constructed on Otterdale Road at Powhite Parkway Extended. These cul-de-sacs are anticipated to be provided when Powhite Parkway Extended is constructed. In shifting the traffic from Otterdale Road to Woolridge Road Extended, it is anticipated that Woolridge Road Extended from the East/West Arterial to Route 288 may need to be a six (6) lane facility; therefore, the recommended right of way width on this section of road should be increased from ninety (90) to 120 feet. The recommendations in this report anticipate cul-de-sacs on Otterdale Road. Staff will recommend these same changes to the Thoroughfare Plan, with upcoming Comprehensive Plan amendments.

As previously stated, the applicant (Phase III developer) has proffered several conditions that are required by the Original Greenspring zoning. These conditions include right of way dedications along Otterdale Road, for Powhite Parkway Extended, for the East/West Arterial, and for Woolridge Road Extended, which the applicant has agreed to increase from ninety (90) to 120 feet wide (Proffered Condition 6.a.). The applicant has also proffered to dedicate a stub road right of way or easement (the "Site Road") on each side of Woolridge Road Extended to the adjacent parcel to the north (i.e., the Lennon parcel) (Proffered Condition 6.a.v.). A limited access interchange is proposed for the Woolridge Road Extended/Powhite Parkway intersection. The Site Roads that will extend through the subject property will serve as the only access for development of that part of the Lennon parcel south of Powhite Parkway Extended.

Access to major arterials, such as the East/West Arterial and Woolridge Road Extended, should be controlled. The applicant has proffered that an access plan will be submitted, for Transportation Department review and approval, which shows access from the property to the East/West Arterial and Woolridge Road Extended (Proffered Condition 6.d.). Access to the East/West Arterial and Woolridge Road Extended will be based on the approved access plan.

The applicant has proffered some of the road improvements required by the Original Greenspring zoning. The proffers are; 1) construction of a four (4) lane divided facility for Woolridge Road Extended from the northern property line to the East/West Arterial intersection; 2) construction of two (2) lanes of the East/West Arterial from Otterdale Road to Woolridge Road Extended; 3) realignment of Otterdale Road at the East/West Arterial intersection to create a T-intersection; 4) construction of left and right turn lanes at each approved access along the Site Road, along Woolridge Road Extended, along the East/West Arterial and along Otterdale Road, including at the East/West Arterial/Otterdale Road intersection, and at the East/West Arterial/Woolridge Road Extended intersection; 5) full cost of traffic signalization at all approved accesses including at the East/West Arterial/Woolridge Road Extended and at the Site Road/Woolridge Road Extended intersections, if warranted; and 6) widening/improving the east side of Otterdale Road to an eleven (11) foot wide travel lane, measured from the centerline of the road, with an additional one (1) foot wide paved shoulder plus a seven (7) foot wide unpaved shoulder from the northernmost approved access onto Otterdale Road to the southern property line. (Proffered Condition 6.b.)

The Original Greenspring zoning required construction of four (4) lanes of Powhite Parkway Extended across the Original Greenspring Project, construction of two (2) additional lanes of Powhite Parkway Extended from the Original Greenspring Project to Brandermill Parkway, and construction of two (2) lanes of Powhite Parkway Extended and two (2) lanes of Woolridge Road Extended across the Lennon parcel. The applicant has asked relief from these requirements, and has proffered to limit development on the property until parts of Powhite Parkway Extended and Woolridge Road Extended are constructed by the applicant or by others. Specifically, the applicant has proffered that prior to development of more than 175 residential units or more than 20,000 square feet of nonresidential uses, whichever occurs first, four (4) lanes of Woolridge Road Extended from the northern property line to the East/West Arterial intersection, two (2) lanes of Powhite Parkway Extended from the Watermill Parkway intersection to Woolridge Road Extended, and two (2) lanes of Woolridge Road Extended from Powhite Parkway Extended to the northern property line shall be completed (Proffered Condition 6.c.ii.). The applicant has also proffered that the initial development of 175 residential units and 20,000 square feet of nonresidential uses will have sole access to Woolridge Road Extended. (Proffered Condition 6.c.i.)

Another current condition of zoning the applicant is requesting relief from, requires the monitoring of this development to determine if actual traffic generation and distribution is materially different from the assumptions in the original traffic study. If additional traffic studies indicate that more site traffic is generated than originally assumed and additional

mitigating road improvements cannot be provided, permissible densities of this project may be reduced. The applicant is unwilling to proffer a similar condition that, if required by the Transportation Department, a traffic analysis will be submitted. Without the traffic analysis condition, the impact of this development on the road network may not be adequately addressed. Therefore, the Transportation Department recommends denial of Amendment V.

Financial Impact on Capital Facilities:

The proposed zoning amendment will not result in any additional dwelling units over the number of units permitted on this portion of the originally planned residential community governed by zoning case 88S008. Accordingly, there is no net increase in the impact on capital facilities resulting from this request. However, under the conditions of case 88S008, the dedication of sixty-five (65) acres and the reservation for purchase of an additional thirty-five (35) acres was proffered for use by County Schools. The requirement for the reservation of land for purchase is no longer applicable. The time has expired to exercise that option.

Under the proposed requested amendment, the applicant has proffered the payment of cash in lieu of dedicating a proportionate amount of the sixty-five (65) acres of land to the County. The proportionate amount of land being proffered for conversion to cash is approximately 10.3 acres. The amount of cash proffered, to be paid on a per dwelling unit basis, equates to \$104,150, or \$10,105 per acre. The cash proffer states that the payments will be made on the first twenty-five (25) dwelling units. Staff finds this proffer acceptable. (Proffered Condition 5)

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for a mix of regional-scale office, commercial, light industrial, townhouse and multi-family development as well as single family residential use of 2.0 units per acre or less.

Area Development Trends:

Properties to the north and west are zoned Agricultural (A) and are vacant. Properties to the east and south are zoned Residential (R-9 and R-15) and Corporate Office (O-2) and are part of the original Greenspring development not included in this request or are currently zoned Agricultural (A). These parcels are currently occupied by community recreational uses or are vacant. Property to the east and southeast were previously approved for development independent of the original Greenspring I Project. (Cases 95SN0307 and 01SN0189)

Zoning History:

On May 25, 1988, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved rezoning on the request property and adjacent property to

the north, east and south from Agricultural (A) and Residential (R-15) to Residential (R-9) and Office Business (O) with Conditional Use Planned Development to permit a mix of residential, office, commercial and recreational uses (Case 88S008), subject to a number of conditions. This project, which contained approximately 1,313 acres, was commonly known as Greenspring.

On September 27, 1995, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved various amendments to Case 88S008, affecting an 809 acre portion of the original Greenspring development, adjacent to, east and south of, the subject property (Case 95SN0307). These amendments were similar to those requested in this application.

On March 27, 2002, the Board of Supervisors, upon a recommendation by the Planning Commission that was favorable with the exception of the deletion of road improvements, approved various amendments to Case 88S008, affecting a 282 acre portion of the original Greenspring development, adjacent to and south of, the subject property (Case 01SN0189). These amendments are similar to those requested in this application.

Master Plan:

The applicant is requesting that Condition 1 of Case 88S008 be modified to reflect the amendments discussed herein, substitute a new conceptual Master Plan and delete the requirement to conform to the Conceptual Site Development Plan. This amendment would also allow this 208 acre parcel to be developed independent of the remaining 1,313 acres originally zoned. As previously noted, in 1995 and 2002, adjacent 809 and 282 acre tracts representing a portion of the original Greenspring development, were approved for development independent of the originally zoned acreage (Cases 95SN0307 and 01SN0189). Therefore, with approval of this request, none of the original Greenspring property will remain under the conditions of the original Master Plan.

The revised Master Plan also deletes the golf course.

Restoration of the Tomahawk and Ellett Hancock Structures:

Conditions of zoning require that the Tomahawk and Ellett Hancock structures be restored. The Tomahawk structure has been destroyed by fire. The Preservation Committee determined that restoration of the Ellett Hancock structure is not feasible.

Phasing:

In response to concerns expressed by the Matoaca District Commissioner relative to the impact of the development on area roads and schools, a proffered condition was submitted for the phasing of the residential portion of the development. No single family residential lot can be recorded nor can any multifamily site plan be approved prior to July 1, 2005. (Proffered Condition 7)

CONCLUSIONS

The proposed amendments relative to the approved Master Plan, restoration of the Ellett and Tomahawk dwellings and provision of a golf course (Amendment I); utilities (Amendment II); drainage and erosion and water quality (Amendment III); and dedication and reservations (Part of Amendment IV) are consistent with amendments previously approved for an adjacent portion of the Greenspring Project (Cases 95SN0307 and 01SN0189). Further, such amendments would permit the applicant to proceed with developing the subject property independent of adjacent portions of the original Greenspring Project. In conjunction with these amendments, it is recommended that Proffered Conditions 1 through 5 be accepted and that Conditions 1 through 5 be imposed.

It is recommended that Amendment V, requesting relief to some of the transportation conditions of the Original Greenspring Project (Case 88S008), be denied. Proffered Condition 6 may not address the traffic impact of this portion of the development on area roads consistent with the commitments as outlined in the original Greenspring zoning. In conjunction with this recommendation, Proffered Condition 6 should not be accepted.

It is also recommended that Amendment VI, addressing the phasing of the residential portion of the project be approved and that Proffered Condition 7 be accepted.

CASE HISTORY

Planning Commission Meeting (6/18/02):

At the request of the applicant, the Commission deferred this case to July 16, 2002.

Staff (6/19/02):

The applicant was advised in writing that any significant new or revised information should be submitted no later than June 24, 2002, for consideration at the Commission's July public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (7/16/02):

The deferral fee was paid.

Planning Commission Meeting (7/16/02):

At the request of the applicant, the Commission deferred this case to September 17, 2002.

Staff (7/17/02):

The applicant was advised in writing that any significant new or revised information should be submitted no later than July 22, 2002, for consideration at the Commission's September public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (8/1/02):

The deferral fee was paid.

Staff (8/15/02):

To date, no new information has been submitted.

Planning Commission Meeting (9/17/02):

At the request of the applicant, the Commission deferred this case to November 19, 2002.

Staff (9/18/02):

The applicant was advised in writing that any significant new or revised information should be submitted no later than October 20, 2002, for consideration at the Commission's November public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (11/1/02):

The deferral fee was paid.

Staff (11/1/02):

To date, no new information has been submitted.

Planning Commission Meeting (11/19/02):

At the request of the applicant, the Commission deferred this case to January 21, 2003.

Staff (11/20/02):

The applicant was advised in writing that any significant new or revised information should be submitted no later than November 25, 2002, for consideration at the Commission's January public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (11/25/02):

The deferral fee was paid.

Staff (12/27/02):

To date, no new information has been submitted.

Planning Commission Meeting (1/21/03):

At the request of the applicant, the Commission deferred this case to March 18, 2003.

Staff (1/22/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than January 27, 2003, for consideration at the Commission's March public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (2/7/03):

The deferral fee was paid.

Staff (2/26/03):

To date, no new information has been submitted.

Planning Commission Meeting (3/18/03):

At the request of the applicant, the Commission deferred this case to May 20, 2003.

Staff (3/19/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than March 24, 2003, for consideration at the Commission's May public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (3/26/03):

The deferral fee was paid.

Staff (4/21/03):

To date, no new information has been submitted.

Planning Commission Meeting (5/20/03):

At the request of the applicant, the Commission deferred this case to the Commission's August 19, 2003, public hearing.

Staff (5/21/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than June 16, 2003, for consideration at the Commission's August public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (7/29/03 and 7/30/03):

The deferral fee was paid. The applicant requested a deferral.

Planning Commission Meeting (8/19/03):

At the request of the applicant, the Commission deferred this case to the Commission's November 18, 2003, public hearing.

Staff (8/20/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than September 15, 2003, for consideration at the Commission's November public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (9/3/03):

The deferral fee was paid.

Applicant (10/20/03 and 11/6/03):

Revised proffered conditions and textual statements were submitted. The applicant withdrew proffered conditions addressing minimum dwelling size, restrictive covenants relative to single family development and manufactured homes.

Further, the applicant withdrew requested exceptions to the construction of Powhite Parkway Extended and related conditions.

Planning Commission Meeting (11/18/03):

At the request of the applicant, the Commission deferred this case to their December 16, 2003, public hearing.

Staff (11/19/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than November 24, 2003, for consideration at the Commission's December public hearing. Also, the applicant was advised that a \$500.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (11/26/03):

To date, no new information has been submitted nor has the \$500.00 deferral fee been paid.

Applicant (12/4/03):

The deferral fee was paid.

Planning Commission Meeting (12/16/03):

At the request of the applicant, the Commission deferred this case to their February 17, 2004, public hearing.

Staff (12/17/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than December 22, 2003, for consideration at the Commission's February public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (12/29/03):

The deferral fee was paid.

Applicant (2/6/04):

The application was amended to include additional property. Revised proffered conditions were submitted.

Planning Commission Meeting (2/17/04):

At the request of the applicant, the Commission deferred this case to their April 20, 2004, public hearing.

Staff (2/18/04):

The applicant was advised in writing that any significant new or revised information should be submitted no later than February 23, 2004, for consideration at the Commission's April

public hearing. Also the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (3/4/04):

The deferral fee was paid.

Applicant (3/30/04):

Revised proffered conditions and textual statement were submitted.

Applicant (4/16/04):

Revised Proffered Condition 2 was submitted. Proffered Condition 6.e. requiring a traffic impact analysis was withdrawn resulting in the Transportation Department recommending denial of Amendment V.

Planning Commission Meeting (4/20/04):

The applicant did not accept staff's recommendation, but accepted the Commission's recommendation. There was opposition present. Concerns were expressed relative to the withdrawal of the traffic impact analysis and the condition of, and increased traffic on, Otterdale Road.

Mr. Bass noted his disagreement with the previous traffic analysis condition and that the applicant was providing considerable road improvements as part of this request.

Mr. Gulley indicated support for Mr. Bass' position; that this case provided relief for area roads; and that developers be required to make improvements to accommodate their impact and not improvements to accommodate future developments.

Mr. Gecker noted that the applicant bought the property; with the obligation to meet existing conditions of zoning; that such requirements should have been evaluated in the purchase price; and that granting relief to these requirements violated the policy that growth should pay for growth.

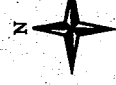
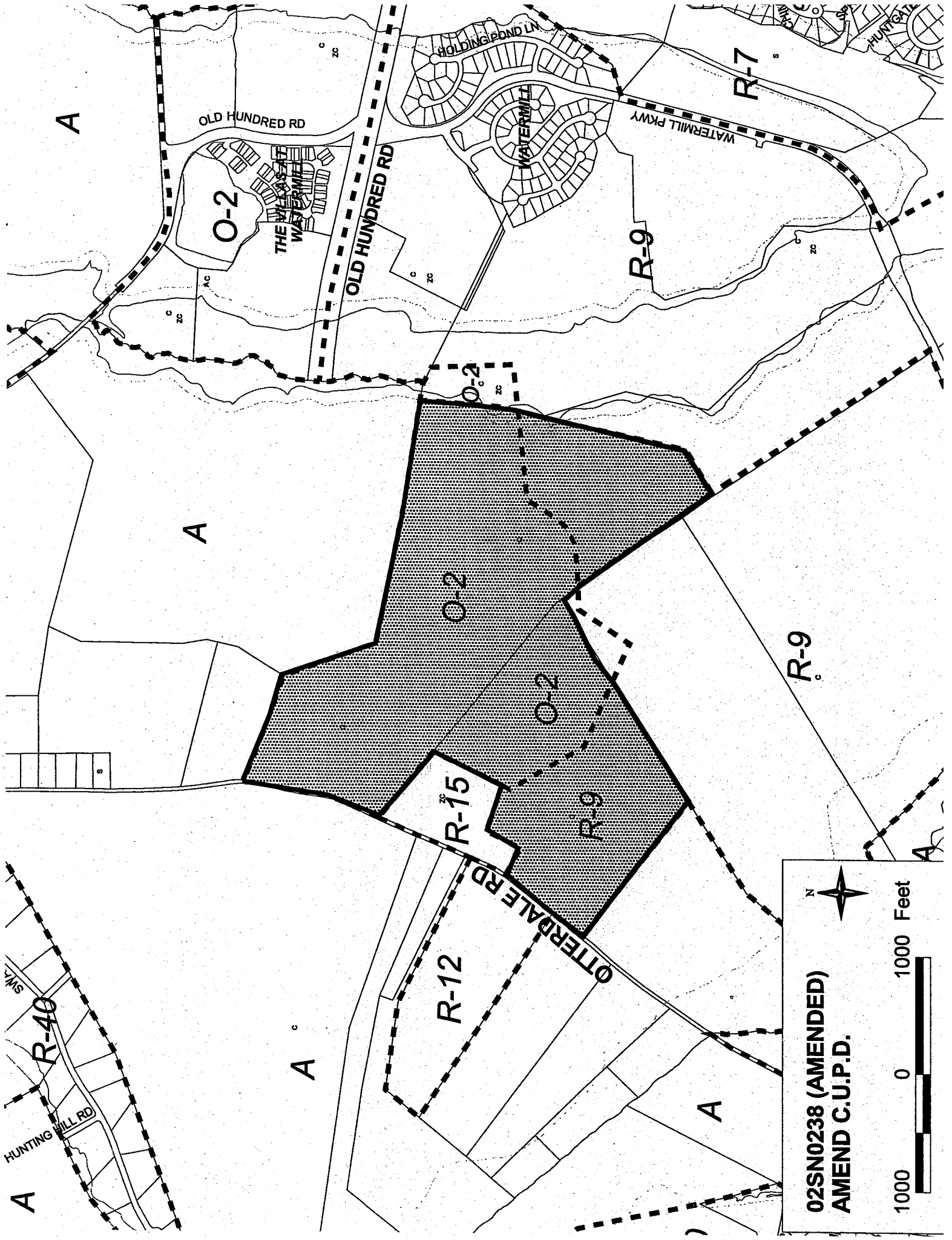
On motion of Mr. Bass, seconded by Mr. Litton, the Commission recommended approval subject to the conditions and acceptance of the proffered conditions on pages 2 through 9.

AYES: Messrs. Litton, Bass, Gulley and Wilson.
NAY: Mr. Gecker

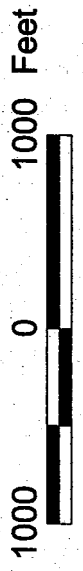
The Board of Supervisors, on Wednesday, May 26, 2004, beginning at 7:00 p.m., will take under consideration this request.

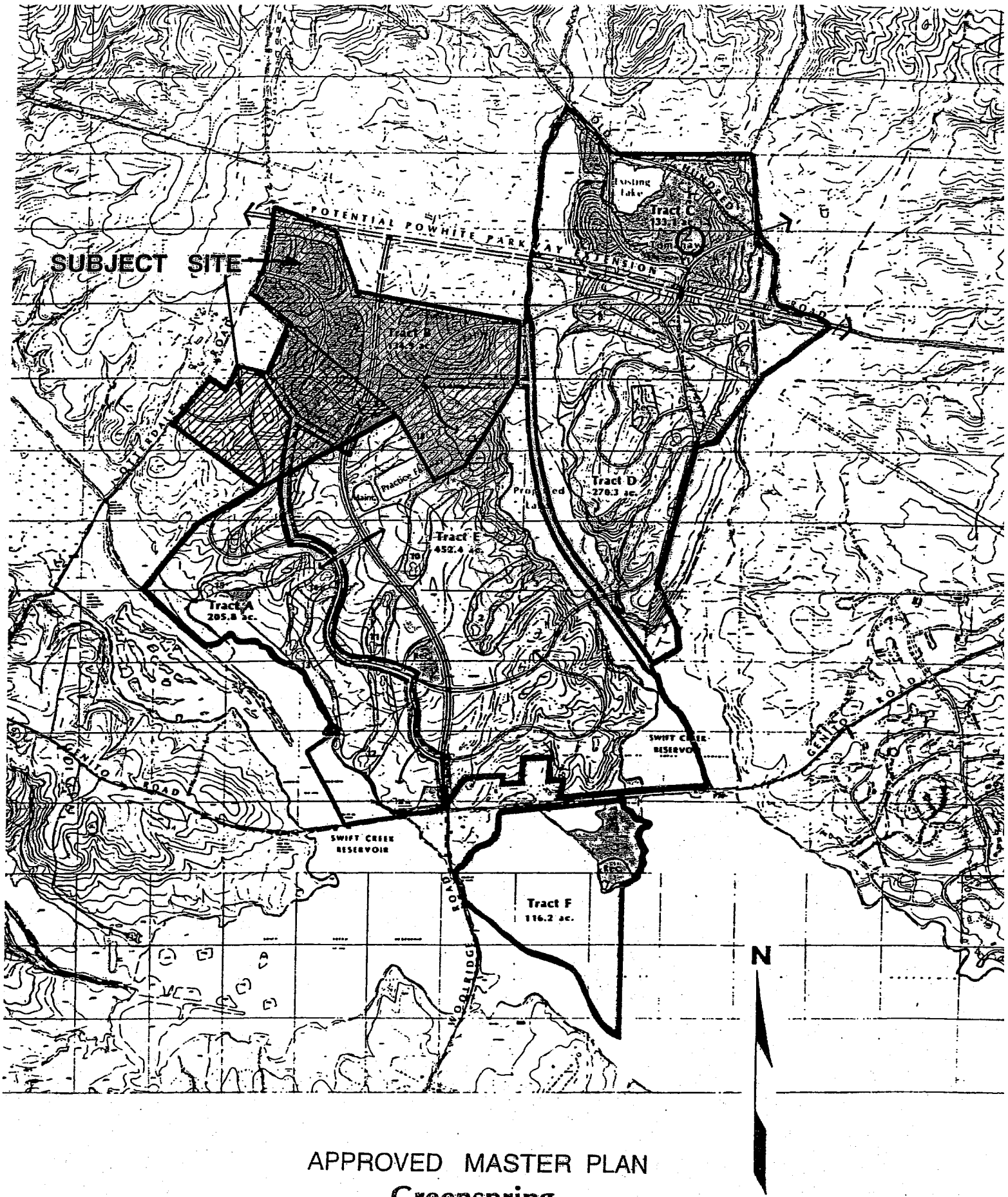
02SN0238
TEXTUAL STATEMENT
(THIRD REVISED AND RESTATED
AMENDMENT TO CASE 88S008)

1. The Textual Statement, titled Greenspring: Conditional Use and Zoning Application, revised April 1, 1988, including the "Residential Site Development Criteria" table, Exhibit IV and the conditions of zoning for Case 88S008 and Conceptual Master Plan, dated February 6, 2004, shall be the Master Plan for the subject property, except as stated herein. And further, provided that the subject property shall be permitted to be considered as a separate project from the remaining portion of that land area covered under 88S008.
2. All references and requirements relating to golf in the Textual Statement and conditions of zoning for Case 88S008 shall be deleted.
3. The requirement to restore Tomahawk and the Ellett and Hancock structures shall be deleted.
4. All references and requirements relating to the plan entitled "Conceptual Site Development Plan -- Greenspring -- Chesterfield County, Virginia" in the Textual Statement and conditions of zoning for Case 88S008 shall be deleted.
5. The requirements of Conditions 14, 15 and 16 contained within section 4(A) of the Textual Statement for Case 88S008 shall be deleted.
6. The requirements of Conditions 20, 21 and 22 of section 4(A) of the Textual Statement for Case 88S008 shall be deleted.
7. The requirements of Conditions 7, 9, 11, and 20 of Case 88S008 shall be deleted.
8. The requirements of Condition 30 of Case 88S008 shall be deleted.
9. The requirements of Condition 14 of Case 88S008 shall be deleted.



02SN0238 (AMENDED)
AMEND C.U.P.D.





APPROVED MASTER PLAN
Greenspring

02SN0238-1



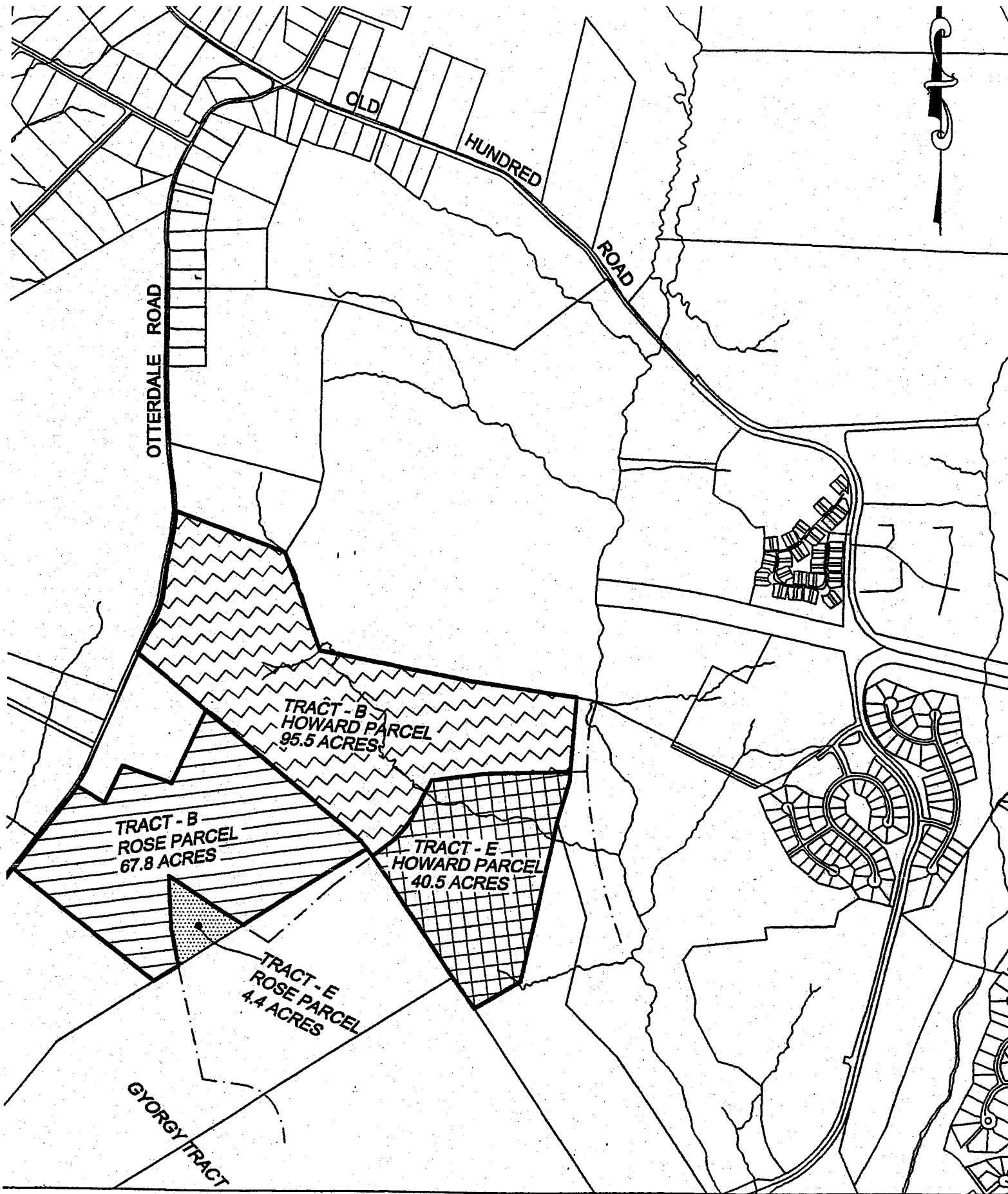
Greenspring

LEGEND

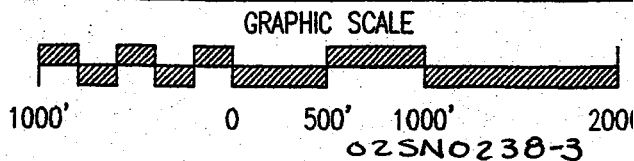
	Single Family/ Estate		Multi-Family		Conference Center
	Cluster		Retirement Villas		Retail
	Villas/ Single Family Attached		Recreation		Office

APPROVED CONCEPTUAL SITE DEVELOPMENT PLAN

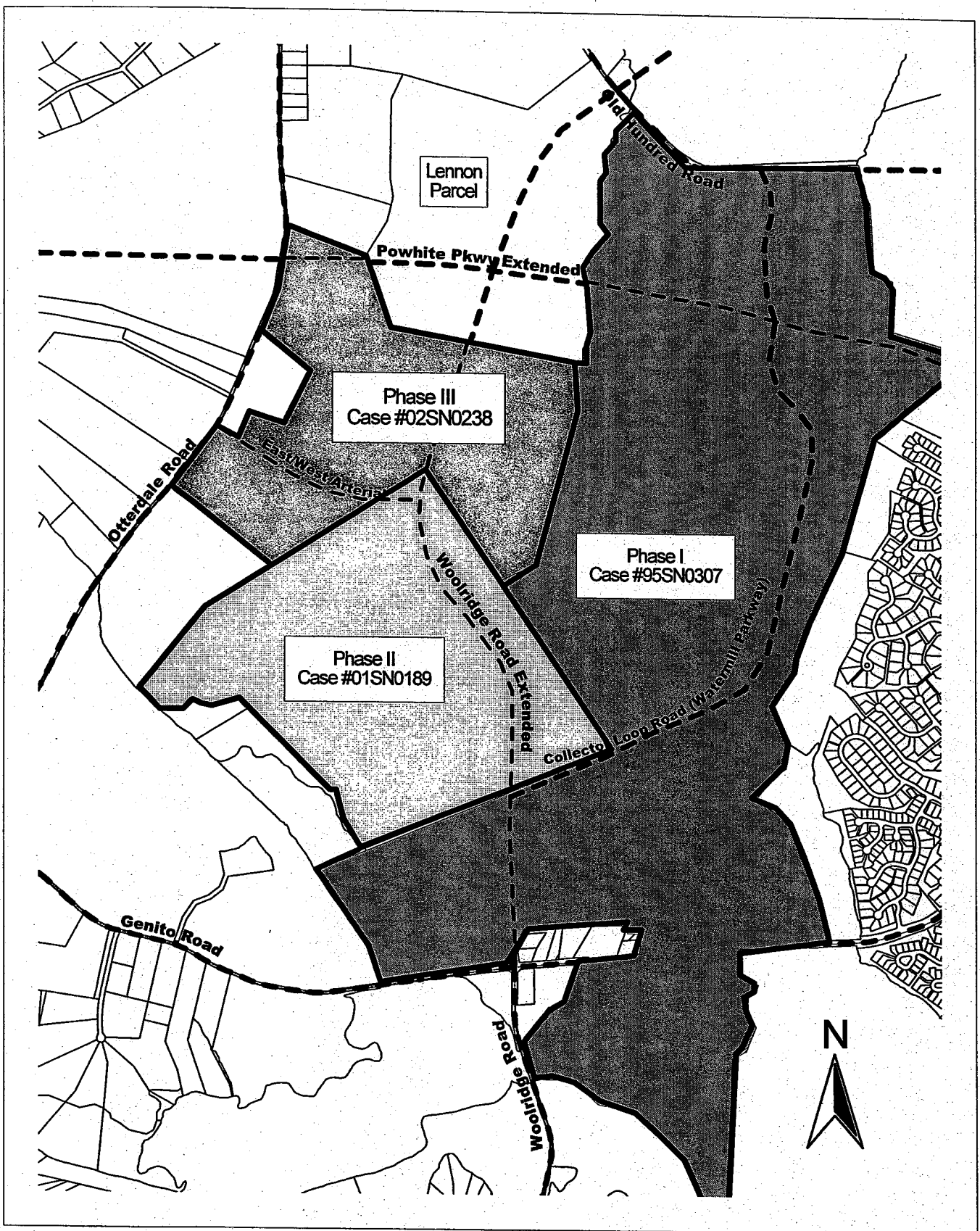
02SN0238-2



AMENDED MASTER PLAN
FEBRUARY 6, 2004

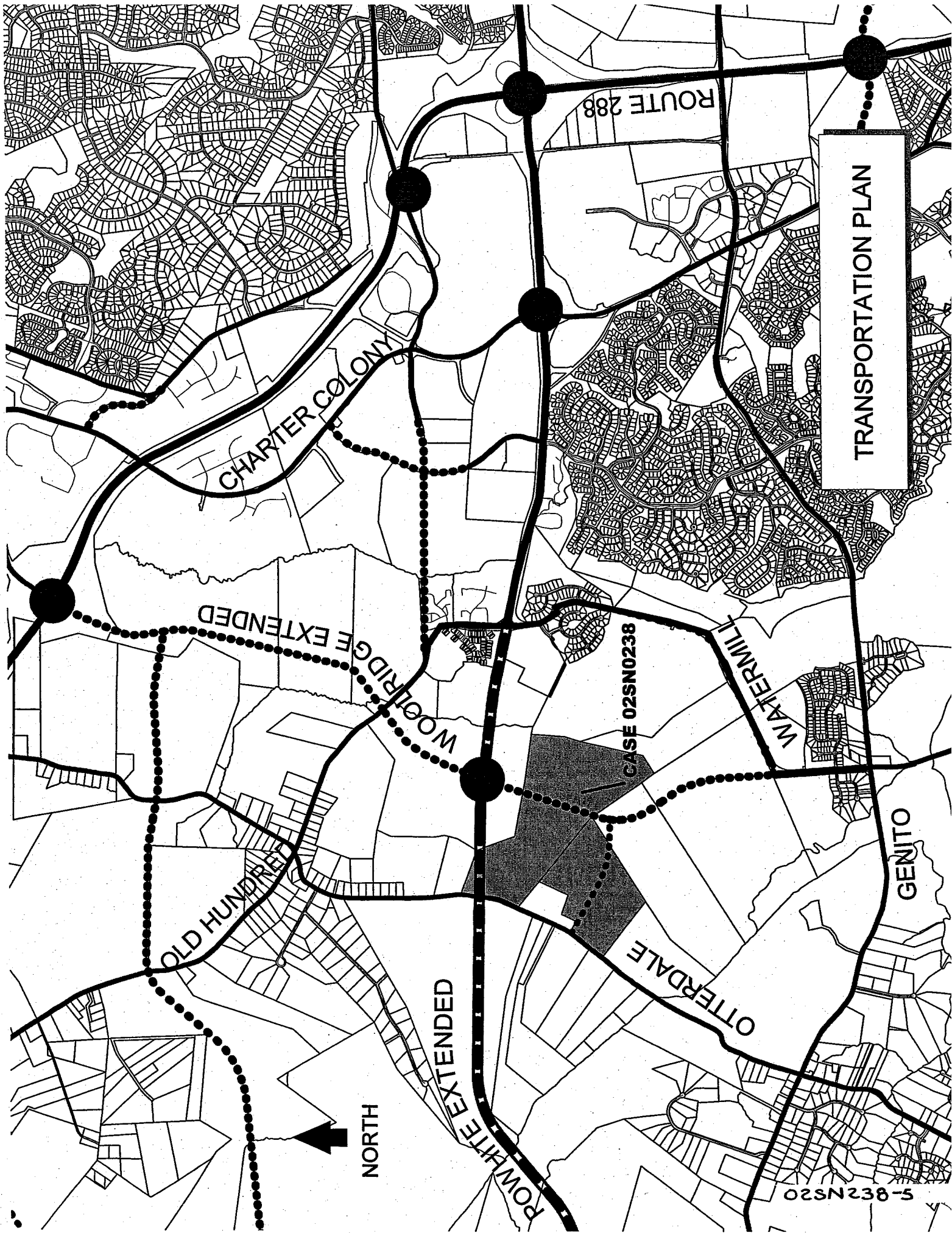


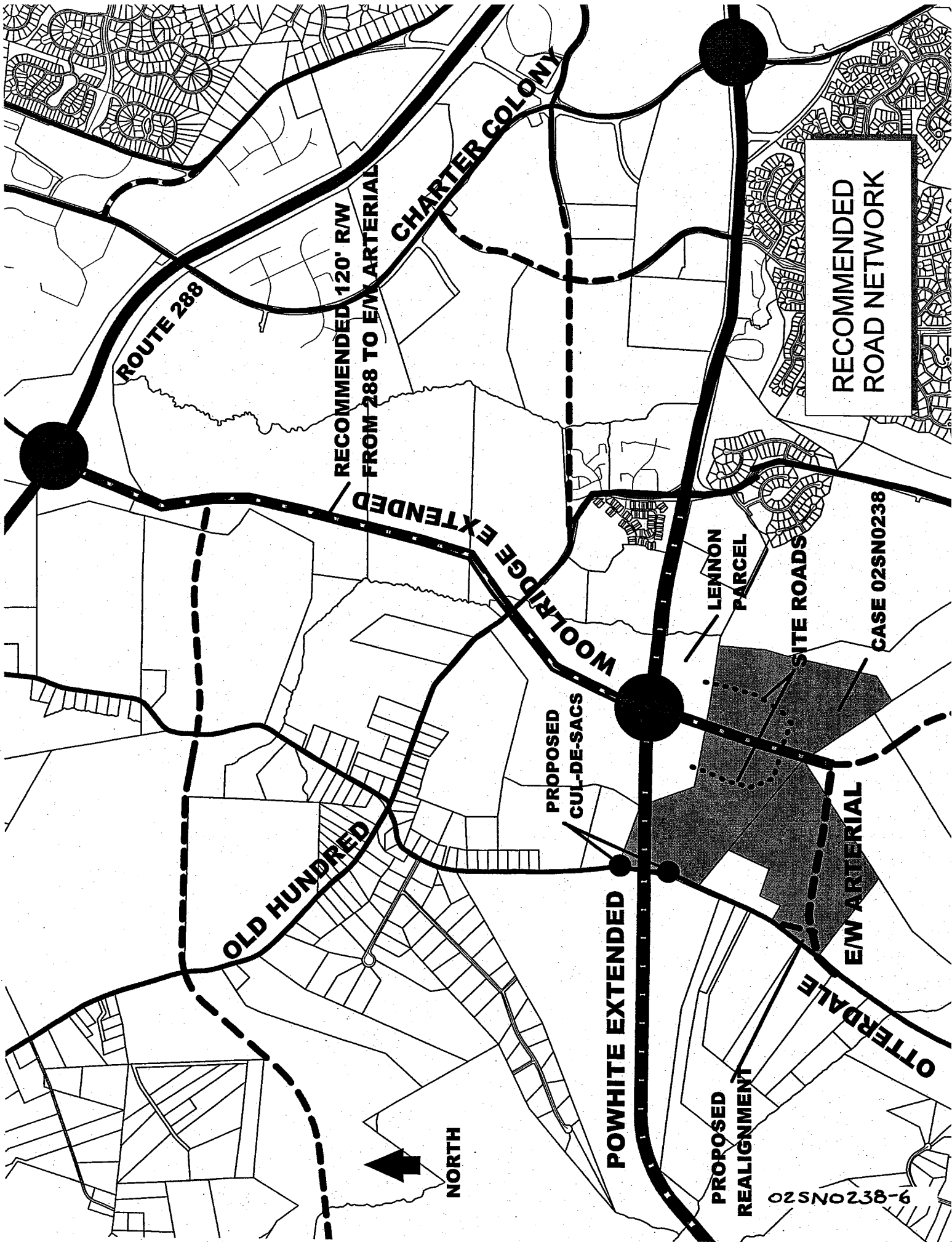
02SNO238-3



Greenspring
Boundaries of Phase I, Phase II,
and Phase III

02SN0238-4





RECOMMENDED
ROAD NETWORK

ROUTE 288

CHARTER COLONY

RECOMMENDED 120' R/W
FROM 288 TO EW ARTERIAL

WOOLRIDGE EXTENDED

LENNON
PARCEL

SITE ROADS

CASE 02SN0238

PROPOSED
CUL-DE-SACS

OLD HUNDRED

POWHITE EXTENDED

PROPOSED
REALIGNMENT

EW ARTERIAL

OTTERDALE

NORTH

02SN0238-6